

ESTTA Tracking number: **ESTTA385387**

Filing date: **12/22/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Cisco Technology, Inc.
Granted to Date of previous extension	12/22/2010
Address	170 West Tasman Drive San Jose, CA 95134 UNITED STATES
Attorney information	Sally M. Abel, Kiran Belur Fenwick & West LLP 801 California Street Silicon Valley Center Mountain View, CA 94041 UNITED STATES trademarks@fenwick.com Phone:650-988-8500

Applicant Information

Application No	85005441	Publication date	08/24/2010
Opposition Filing Date	12/22/2010	Opposition Period Ends	12/22/2010
Applicant	Tian, Lawrence Yuan 136-20 38th Ave., #11B Flushing, NY 11354 UNITED STATES		

Goods/Services Affected by Opposition


Class 036. All goods and services in the class are opposed, namely: Securities brokerage; Brokerage houses in the field of stocks, commodities, and futures; Brokerage for trading of options
--

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)


Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3709076	Application Date	12/19/2006
Registration Date	11/10/2009	Foreign Priority Date	NONE
Word Mark	CISCO		

Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 009. First use: First Use: 1984/12/27 First Use In Commerce: 1984/12/27 Computer hardware and software for interconnecting, managing, securing and operating local and wide area networks and telephony systems; telephones; electronic communication devices, namely, mobile telephones; wireless communications devices, namely, wireless hardware and software for the transmission of voice, data, audio, and video; call processing software for the transmission of data, video, and voice traffic; downloadable electronic instructional materials, namely, manuals, guides, test materials, and magazines in the fields of network communications, and managing, operating and using local, wide and global networks, and cable television systems; stereos; video monitors; computer software for use in social networking; remote controls for stereos, televisions, computers, and electronic games; electronic devices for recording, organizing, transmitting, and/or reviewing voice, audio, video, and/or data files; spectrum analyzers used to diagnose and repair cellular, wireless and RF communications networks; semiconductor integrated circuits, chips and chipsets, and software, for use in wireless communication applications; CD players; consumer electronics, namely, hardware and software for the transmission of voice, data, audio, and/or video; computer network routers; gateway routers in the nature of computer control hardware; telecommunications switches; network access range expanders; Internet video cameras; print servers; communication terminals comprising computer hardware and/or software for providing video, audio, data, video game, and telephone communications and/or transmissions; network storage devices, comprised of computer hardware and/or software; interfaces for interconnecting computers, projectors, stereo systems and game consoles; devices for organizing, transmitting, and reviewing audio files; computer hardware; network interface cards; network cables; computer network adapters; computer servers; communications servers; computer hardware containing network security functionality, including firewalls, data encryption, and/or interoperability with network security protocols; computer software and hardware for sending, storing, managing, integrating and accessing text and voice messages via telephone, electronic mail, pagers, personal digital assistants, and internal and global computer networks; digital video recorders; set-top boxes; cable television converters; receivers for receiving cable television; computer hardware and software for use in cable television systems, content distribution systems, and communication systems</p> <p>Class 016. First use: First Use: 1997/04/25 First Use In Commerce: 1997/04/25 Books and manuals in the fields of interconnecting, managing and operating of local and wide area networks; computer manuals for computer networking; printed instructional materials, namely, books, manuals, guides, test materials and magazines in the fields of network communications, managing, operating and using local, wide and global networks, and cable television systems; packaging, namely, cardboard packing</p> <p>Class 036. First use: First Use: 1997/02/13 First Use In Commerce: 1997/02/13</p>

	<p>Financing services, namely, providing financing to others for the lease or purchase of computer hardware and computer software</p> <p>Class 038. First use: First Use: 1996/08/00 First Use In Commerce: 1996/08/00</p> <p>Providing information via local and global computer networks in the fields of telecommunications and telephony; broadcasting programs via computer networks; providing telephone conferencing services; providing facilities and equipment for video conferencing; electronic voice messaging, namely, the recording and subsequent transmission of voice messages; providing telecommunications services, namely, web conferencing services; Internet telephony services</p> <p>Class 041. First use: First Use: 1992/04/00 First Use In Commerce: 1992/04/00</p> <p>Educational services, namely, conducting conferences, training courses, testing, workshops, and distributing course materials in connection therewith, all in the fields of computer networking, broadband networks, computer systems, telecommunication systems, IP telephony, cable television systems, security and storage</p> <p>Class 042. First use: First Use: 1996/08/00 First Use In Commerce: 1996/08/00</p> <p>On-line services, namely, providing information via computer networks in the field of computer and network security; customer support services in connection with computer hardware and software for use in interconnecting, managing and operating local and wide area networks, namely, computer network design, computer consultation services, updating of computer software for others, computer systems analysis, and engineering services; providing technical consultation in connection with computer hardware, computer software, computer networking equipment, telephony systems, telecommunications equipment, IP telephony, telecommunication systems, computer network design, storage design, security of networks, and voice and wireless communications; application service provider (ASP), namely, hosting the software applications of others; computer consulting services; computer network design for others; on line services, namely, providing information via computer networks in the fields of computer networks, computer systems, cable television systems, technical consultation and research and systems design; application service provider (ASP) featuring software in the fields of audio conferencing, electronic messaging, document collaboration, video conferencing, and voice and call processing; providing information via computer networks in the fields of computer security and computer network security</p> <p>Class 045. First use: First Use: 2006/00/00 First Use In Commerce: 2006/00/00</p> <p>On line services, namely, monitoring of computer systems and computer networks for security purposes</p>
--	--


U.S. Registration No.	3759451	Application Date	08/17/2006
Registration Date	03/09/2010	Foreign Priority Date	NONE
Word Mark	CISCO		

Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 009. First use: First Use: 2006/12/00 First Use In Commerce: 2006/12/00 Computer hardware and software for interconnecting, managing, securing and operating local and wide area networks and telephony systems; telephones, telephone headsets; wireless communications devices, namely, wireless hardware and software for the transmission of voice, data, audio, and video; call processing software for the transmission of data, video, and voice traffic; downloadable electronic instructional materials, namely, manuals, guides, test materials, and magazines in the fields of network communications, and managing, operating and using local, wide and global networks, and cable television systems; personal stereos; stereo receivers; stereo tuners; stereo amplifiers; computer software for use in social networking, namely, for use in providing online communications among users and for creating customized on-line web pages featuring user-defined information, personal profiles, and information; remote controls for stereos, televisions, computers, and electronic games; electronic devices for recording, organizing, transmitting, and/or reviewing voice, audio, video, and/or data files; CD players; consumer electronics, namely, hardware and software for the transmission of voice, data, audio, and/or video; computer network routers; gateway routers in the nature of computer control hardware; telecommunications switches; network access range expanders; Internet video cameras; print servers; communication terminals comprising computer hardware and/or software for providing video, audio, data, video game, and telephone communications and/or transmissions; network storage devices, comprised of computer hardware and/or software; interfaces for interconnecting computers, projectors, stereo systems and game consoles; computer hardware; computer network interface cards; network cables; computer network adapters; computer servers; communications servers; computer hardware containing network security functionality, including firewalls; data encryption, and/or interoperability with network security protocols; computer software and hardware for sending, storing, managing, integrating and accessing text and voice messages via telephone, electronic mail, pagers, personal digital assistants, and internal and global computer networks; digital video recorders; set-top boxes; cable television converters; receivers for receiving cable television; hardware and software for the operation of cable television systems, content distribution systems, and communication systems</p> <p>Class 016. First use: First Use: 2006/11/00 First Use In Commerce: 2006/11/00 books and manuals in the fields of interconnecting, managing and operating of local and wide area networks; computer manuals for computer networking; printed instructional materials, namely, books, manuals, guides in the fields of network communications, managing, operating and using local, wide and global networks, and cable television systems; test materials, namely, booklets and magazines in the fields of network communications, managing, operating and using local, wide and global networks, and cable television systems; technical manuals in the fields of the interconnecting, managing and operating computer networks; packaging, namely, cardboard packing</p>

	<p>Class 036. First use: First Use: 2006/11/13 First Use In Commerce: 2006/11/13 Financing services for the lease or purchase of computer hardware and computer software</p> <p>Class 038. First use: First Use: 2006/11/16 First Use In Commerce: 2006/11/16 Providing information via local and global computer networks in the fields of telecommunications and telephony; broadcasting programs via computer networks; providing telephone conferencing services; electronic voice messaging, namely, the recording and subsequent transmission of voice messages; providing telecommunications services, namely, web conferencing services; Internet telephony services</p> <p>Class 041. First use: First Use: 2006/10/16 First Use In Commerce: 2006/10/16 Educational services, namely, conferences, training courses, testing, workshops, and distributing course materials in connection therewith, all in the fields of computer networking, broadband networks, computer systems, telecommunication systems, IP telephony, cable television systems, network security, and/or network storage</p> <p>Class 042. First use: First Use: 2006/10/16 First Use In Commerce: 2006/10/16 computer network design for others, computer consultation services, updating of computer software for others, computer systems analysis, and engineering services; providing technical consultation in connection with computer hardware, computer software, computer networking equipment, telephony systems, telecommunications equipment, IP telephony, and telecommunication systems, computer network design, storage design, security of networks, and voice and wireless communications; application service provider (ASP), namely, hosting the software applications of others; on line services, namely, providing information via computer networks in the fields of computer networking, computer networks, computer systems, computer and network security, cable television systems, technical consultation and research in the field of computer networks, and network systems design; application service provider (ASP) featuring software in the fields of audio conferencing, electronic messaging, document collaboration, video conferencing, and voice and call processing</p> <p>Class 045. First use: First Use: 2006/10/12 First Use In Commerce: 2006/10/12 Monitoring of computer systems and computer networks for security purposes</p>
--	---


U.S. Registration No.	2229530	Application Date	04/03/1997
Registration Date	03/02/1999	Foreign Priority Date	NONE
Word Mark	CISCO SYSTEMS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 1997/02/13 First Use In Commerce: 1997/02/13 financing services for the lease or purchase of computer hardware and computer software for use in the field of internetworking		


U.S. Registration No.	2229529	Application Date	04/03/1997
Registration Date	03/02/1999	Foreign Priority Date	NONE
Word Mark	CISCO SYSTEMS		


Design Mark	
Description of Mark	NONE
Goods/Services	Class 036. First use: First Use: 1997/02/13 First Use In Commerce: 1997/02/13 financing services for the lease or purchase of computer hardware and computer software for use in the field of internetworking


U.S. Registration No.	3725585	Application Date	07/29/2009
Registration Date	12/15/2009	Foreign Priority Date	NONE
Word Mark	CISCO CAPITAL		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 2006/00/00 First Use In Commerce: 2006/00/00 Financing services		

U.S. Registration No.	3725581	Application Date	07/14/2009
Registration Date	12/15/2009	Foreign Priority Date	NONE
Word Mark	CISCO CAPITAL		

Design Mark	
Description of Mark	The mark consists of a bridge design made up of vertical lines with the word "CISCO" beneath the bridge design.
Goods/Services	Class 036. First use: First Use: 2006/11/00 First Use In Commerce: 2006/11/00 Financing services

U.S. Registration No.	3766786	Application Date	08/05/2009
Registration Date	03/30/2010	Foreign Priority Date	NONE
Word Mark	CISCO:FINANCED		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 2009/04/03 First Use In Commerce: 2009/04/03 Financing services		


U.S. Registration No.	2292629	Application Date	09/15/1998
Registration Date	11/16/1999	Foreign Priority Date	NONE
Word Mark	CISCO SYSTEMS CAPITAL		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 1997/02/13 First Use In Commerce: 1997/02/13 financing services for the lease or purchase of computer hardware and		

	computer software for use in the field of internetworking		
U.S. Registration No.	1542339	Application Date	06/13/1988
Registration Date	06/06/1989	Foreign Priority Date	NONE
Word Mark	CISCO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1984/12/27 First Use In Commerce: 1984/12/27 COMPUTER HARDWARE FOR INTERCONNECTING LOCAL AREA NETWORKS, NAMELY GATEWAYS AND PARTS THEREFOR		
U.S. Registration No.	2314702	Application Date	03/18/1999
Registration Date	02/01/2000	Foreign Priority Date	NONE
Word Mark	CISCO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 1992/04/00 First Use In Commerce: 1992/04/00 Educational services, namely, conferences, training courses, testing, workshops and distributing course materials in connection therewith, all in the fields of network communications, managing, operating and using local, wide and global area networks		
U.S. Registration No.	2498746	Application Date	03/11/1999
Registration Date	10/16/2001	Foreign Priority Date	NONE
Word Mark	CISCO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1984/12/27 First Use In Commerce: 1984/12/27 computer hardware and software for distribution, manipulation and retrieval of video, data and sound over computer networks		
U.S. Registration No.	2574340	Application Date	03/11/1999
Registration Date	05/28/2002	Foreign Priority Date	NONE
Word Mark	CISCO		
Design Mark			
Description of	NONE		

Mark	
Goods/Services	Class 041. First use: First Use: 1996/08/00 First Use In Commerce: 1996/08/00 on line services, namely, providing information via local and global computer networks in the field of computer networking education and training Class 042. First use: First Use: 1996/08/00 First Use In Commerce: 1996/08/00 On line services, namely, providing information via local and global computer networks in the field of technical consultation and research, systems design, engineering and customer support services in connection with computer hardware and software, all in the field of computer networking

U.S. Registration No.	2640042	Application Date	03/11/1999
Registration Date	10/22/2002	Foreign Priority Date	NONE
Word Mark	CISCO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 038. First use: First Use: 1996/08/00 First Use In Commerce: 1996/08/00 on line services, namely, providing information via local and global computer networks in the field of telecommunications and telephony		

U.S. Registration No.	2742321	Application Date	03/11/1999
Registration Date	07/29/2003	Foreign Priority Date	NONE
Word Mark	CISCO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 038. First use: First Use: 1996/08/00 First Use In Commerce: 1996/08/00 Telecommunication services, namely, providing telecommunication connections to a global computer network and related telecommunication gateway services		

U.S. Registration No.	3747597	Application Date	10/15/2008
Registration Date	02/09/2010	Foreign Priority Date	NONE
Word Mark	CISCO		
Design Mark			
Description of	The mark consists of a bridge design made up of vertical lines with the word		

Mark	"cisco" beneath the bridge design.
Goods/Services	<p>Class 006. First use: First Use: 2006/10/03 First Use In Commerce: 2006/10/03 Metal key chains; metal key rings; metal key fobs; metal key tags</p> <p>Class 008. First use: First Use: 2008/03/21 First Use In Commerce: 2008/03/21 Hand tools, namely, screwdrivers</p> <p>Class 009. First use: First Use: 2006/10/03 First Use In Commerce: 2006/10/03 Computer mice; computer stylus; calculators; laser pointers; USB hubs; backpacks especially adapted for holding laptops; wheeled backpacks especially adapted for holding laptops; messenger bags especially adapted for holding laptops; cell phone battery chargers; compasses; spectacle holders; headphones; earphones; wireless controller to monitor and control the functioning of other electronic devices; plug adaptors; battery chargers; audio speakers; computer storage devices, namely, flash drives; adapter plugs; pedometers</p> <p>Class 011. First use: First Use: 2007/05/21 First Use In Commerce: 2007/05/21 Flashlights</p> <p>Class 012. First use: First Use: 2006/10/03 First Use In Commerce: 2006/10/03 Automobile holders for electronic devices that are specially adapted to the automobile; license plate holders</p> <p>Class 014. First use: First Use: 2006/10/03 First Use In Commerce: 2006/10/03 Clocks; alarm clocks; watches; lapel pins</p> <p>Class 016. First use: First Use: 2006/10/03 First Use In Commerce: 2006/10/03 Office supplies, namely, pens, gel roller pens, roller ball pens, ball-point pens, highlighter pens, pencils, writing pads, notebooks, and folders; business card holders; desktop business card holders; stationary-type portfolios; coin holders; blank writing journals</p> <p>Class 018. First use: First Use: 2006/10/03 First Use In Commerce: 2006/10/03 Luggage tags; backpacks; messenger bags; leather cases; business card cases; duffel bags; tote bags; umbrellas and umbrella cases</p> <p>Class 020. First use: First Use: 2006/10/03 First Use In Commerce: 2006/10/03 Vinyl banners; removable non-slip work surface for use to hold objects on surfaces</p> <p>Class 021. First use: First Use: 2007/05/21 First Use In Commerce: 2007/05/21 Neoprene bottle holders; portable coolers; lunch boxes; plastic coasters; plastic water bottles sold empty</p> <p>Class 022. First use: First Use: 2006/10/03 First Use In Commerce: 2006/10/03 Lanyards for holding badges</p> <p>Class 024. First use: First Use: 2006/10/03 First Use In Commerce: 2006/10/03 Blanket throws; receiving blankets; children's blankets; golf towels</p> <p>Class 025. First use: First Use: 2006/10/03 First Use In Commerce: 2006/10/03 Clothing, namely, caps, baseball caps, knitted caps, t-shirts, short-sleeved or long-sleeved t-shirts, windshirts, long-sleeved shirts, short-sleeved shirts, dress shirts, pique shirts, pullovers, fleece pullovers, sweat shirts, sweaters, knit shirts, sport shirts, polo shirts, cyclists' jerseys, jackets, long-sleeved jackets, sleeved or sleeveless jackets, ties</p> <p>Class 028. First use: First Use: 2006/10/03 First Use In Commerce: 2006/10/03 Sports equipment, namely, golf balls, golf putters, golf tees, golf bags, golf club bags</p> <p>Class 040. First use: First Use: 2006/10/00 First Use In Commerce: 2006/10/00 Custom imprinting of clothing with decorative designs</p>


U.S. Registration No.	1996957	Application Date	09/05/1995
Registration Date	08/27/1996	Foreign Priority Date	NONE
Word Mark	CISCO SYSTEMS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1984/12/27 First Use In Commerce: 1984/12/27 computer hardware and software for interconnecting, managing and operating local and wide area networks		

U.S. Registration No.	2205660	Application Date	10/17/1997
Registration Date	11/24/1998	Foreign Priority Date	NONE
Word Mark	CISCO SYSTEMS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1997/04/25 First Use In Commerce: 1997/04/25 books and manuals regarding the interconnecting, managing and operating of local and wide area networks		


U.S. Registration No.	2116686	Application Date	09/08/1995
Registration Date	11/25/1997	Foreign Priority Date	NONE
Word Mark	CISCO IOS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1996/07/29 First Use In Commerce: 1996/07/29 computer software for networking, namely software which provides connectivity, interoperability and management capability among networked components and systems Class 016. First use: First Use: 1996/07/29 First Use In Commerce: 1996/07/29 computer manuals for computer networking		


U.S. Registration No.	3729990	Application Date	01/05/2008
Registration Date	12/22/2009	Foreign Priority Date	NONE
Word Mark	CISCO EOS		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 042. First use: First Use: 2008/10/08 First Use In Commerce: 2009/01/00 Application service provider (ASP), namely, hosting computer software applications of others; application service provider (ASP) featuring software for use in creating online social networking sites, delivering content, distributing advertisements, creating blogs, providing on-line communications among users, providing entertainment media content delivery, and obtaining user-preference data


U.S. Registration No.	1999660	Application Date	09/05/1995
Registration Date	09/10/1996	Foreign Priority Date	NONE
Word Mark	U CISCO SYSTEMS		
Design Mark			
Description of Mark	The mark consists, in part, of a stylized two-tower suspension bridge similar to a script letter "U".		
Goods/Services	Class 009. First use: First Use: 1986/05/18 First Use In Commerce: 1986/05/18 computer hardware and software for interconnecting, managing and operating local and wide area networks		


U.S. Registration No.	2232700	Application Date	11/27/1996
Registration Date	03/16/1999	Foreign Priority Date	NONE
Word Mark	CISCO SYSTEMS		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 1996/10/23 First Use In Commerce: 1996/11/22 computer hardware and software for interconnecting, managing and operating local and wide area networks

U.S. Registration No.	2291243	Application Date	11/13/1998
Registration Date	11/09/1999	Foreign Priority Date	NONE
Word Mark	CISCO SYSTEMS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1996/10/23 First Use In Commerce: 1996/11/22 customer support services in connection with computer hardware and software for use in interconnecting, managing and operating local and wide area networks, namely, computer network design, computer consultation services, updating of computer software, computer systems analysis, and engineering services		

U.S. Registration No.	2488368	Application Date	03/11/1999
Registration Date	09/11/2001	Foreign Priority Date	NONE
Word Mark	CISCO SYSTEMS		

Design Mark	
Description of Mark	The mark consists of the graphic representation of a bridge with the wording "CISCO SYSTEMS" placed immediately above.
Goods/Services	Class 009. First use: First Use: 1996/08/00 First Use In Commerce: 1996/08/00 computer hardware and software for distribution, manipulation and retrieval of video, data and sound over computer networks

U.S. Registration No.	2959329	Application Date	10/14/2002
Registration Date	06/07/2005	Foreign Priority Date	NONE
Word Mark	CISCO SYSTEMS		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 2001/11/00 First Use In Commerce: 2001/11/00 Computer hardware and software for interconnecting, managing, securing and operating local and wide area networks and telephony systems; telephones, telephone headsets; electronic communication devices, namely, personal digital assistants, pagers, and cellular and wireless telephones; wireless communications devices, namely, wireless LAN hardware and software for the transmission of voice, data, and video; telecommunications equipment, namely hardware and software for use in conjunction with managing and operating local and wide area networks; telephony systems, namely gateways, switches, phones and other communication devices; call processing software for the transmission of data, video and voice traffic; storage networking products, namely routers, switches, port adapters, and software used in the operation and management thereof; downloadable instructional materials, namely books, manuals, printed guides for teachers, test booklets, magazines, newsletters and bulletins in the fields of network communications, and managing, operating and using local, wide and global networks</p> <p>Class 016. First use: First Use: 2001/11/00 First Use In Commerce: 2001/11/00 Printed instructional materials, namely books, manuals, printed guides for</p>		

	<p>teachers, test booklets, magazines, newsletters and bulletins in the fields of network communications, managing, operating and using local, wide and global networks</p> <p>Class 035. First use: First Use: 2001/11/00 First Use In Commerce: 2001/11/00 Testing services to determine professional skills in the field of networking, computer systems, telecommunication systems, IP telephony, security and storage; on line services, namely, providing information via local and global computer networks in the field of testing to determine professional skills in the field of networking, computer systems, telecommunications systems, IP telephony, security and storage via the internet</p> <p>Class 038. First use: First Use: 2001/11/00 First Use In Commerce: 2001/11/00 Telecommunication services, namely, providing telecommunication connections to a global computer network and related telecommunication gateway services; on line services, namely, providing information via local and global computer networks in the field of telecommunications and telephony; entertainment services, namely broadcasting across broadband networks</p> <p>Class 039. First use: First Use: 2001/11/00 First Use In Commerce: 2001/11/00 On line services, namely, providing information via local and global computer networks in the field of data storage</p> <p>Class 041. First use: First Use: 2001/11/00 First Use In Commerce: 2001/11/00 Educational services, namely, classroom training, workshops, conferences, seminars, for computer networking, broadband networks, computer systems, telecommunication systems, IP telephony, security and storage</p> <p>Class 042. First use: First Use: 2001/11/00 First Use In Commerce: 2001/11/00 Computer consulting services; technical support services, namely, troubleshooting of computer hardware and software problems and monitoring of network systems; customer support services, namely, troubleshooting of problems in connection with computer hardware, computer software, computer networking equipment and services, telephony systems, telecommunications equipment, IP telephony, broadcasting across broadband networks, telecommunications systems, security, and storage; computer network design; on line services, namely, providing information via local and global computer networks in the field of on-line commerce, computer networks, broadband networks, and computer systems</p> <p>Class 045. First use: First Use: 2001/11/00 First Use In Commerce: 2001/11/00 On line services, namely, providing information via local and global computer networks in the field of computer and network security</p>
--	--

Attachments	<p>77067964#TMSN.jpeg (1 page)(bytes) 78954940#TMSN.jpeg (1 page)(bytes) 75269037#TMSN.jpeg (1 page)(bytes) 77792683#TMSN.jpeg (1 page)(bytes) 77781170#TMSN.jpeg (1 page)(bytes) 77798126#TMSN.jpeg (1 page)(bytes) 75553381#TMSN.gif (1 page)(bytes) 75662790#TMSN.gif (1 page)(bytes) 77593651#TMSN.jpeg (1 page)(bytes) 77978255#TMSN.jpeg (1 page)(bytes) 74725552#TMSN.jpeg (1 page)(bytes) 75204965#TMSN.jpeg (1 page)(bytes) 75587821#TMSN.jpeg (1 page)(bytes) 75658428#TMSN.gif (1 page)(bytes) 78174250#TMSN.jpeg (1 page)(bytes) CIFCO - Statement of Opposition.pdf (13 pages)(75813 bytes)</p>
-------------	--

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/kbelur/
Name	Kiran K. Belur, Esq.
Date	12/22/2010

STATEMENT OF OPPOSITION

Cisco Technology, Inc., a California Corporation, having its business at 170 West Tasman Drive, San Jose, California 95134, (“Opposer”), believes that it will be damaged by the registration of the mark shown in Application Serial Number 85/005,441, and hereby opposes that application, alleging as grounds for the opposition that:

1. As is evidenced by the publication of the CIFCO application in the August 24, 2010 issue of the Official Gazette, Lawrence Yuan Tian (“Applicant”), seeks to register CIFCO , as a trademark for “Securities brokerage; brokerage houses in the field of stocks, commodities, and futures; brokerage for trading of options” in International Class (“Application”). Applicant’s Application was filed on April 2, 2010, based solely on Applicant’s alleged intent to use the mark.

2. Opposer is the owner of a number of U.S. Trademark Registrations for the CISCO mark and CISCO-inclusive marks (“CISCO marks”), including but not limited to:

CISCO, U.S. Reg. No. 3,709,076, for:

International Class 9: Computer hardware and software for interconnecting, managing, securing and operating local and wide area networks and telephony systems; telephones; electronic communication devices, namely, mobile telephones; wireless communications devices, namely, wireless hardware and software for the transmission of voice, data, audio, and video; call processing software for the transmission of data, video, and voice traffic; downloadable electronic instructional materials, namely, manuals, guides, test materials, and magazines in the fields of network communications, and managing, operating and using local, wide and global networks, and cable television systems; stereos; video monitors; computer software for use in social networking; remote controls for stereos, televisions, computers, and electronic games; electronic devices for recording, organizing, transmitting, and/or reviewing voice, audio, video, and/or data files; spectrum analyzers used to diagnose and repair cellular, wireless and RF communications networks; semiconductor integrated circuits, chips and chipsets, and software, for use in wireless communication applications; CD players; consumer electronics, namely, hardware and software for the transmission of voice, data, audio, and/or video; computer network routers; gateway routers in the nature of computer control hardware; telecommunications switches; network access range expanders; Internet video cameras; print servers; communication terminals comprising computer hardware and/or software for providing video, audio, data, video game, and telephone communications and/or transmissions; network storage devices, comprised of computer hardware and/or software; interfaces for interconnecting computers, projectors, stereo systems and game consoles; devices for organizing, transmitting, and reviewing audio files; computer hardware; network interface cards; network cables; computer network adapters; computer servers; communications servers; computer hardware

containing network security functionality, including firewalls, data encryption, and/or interoperability with network security protocols; computer software and hardware for sending, storing, managing, integrating and accessing text and voice messages via telephone, electronic mail, pagers, personal digital assistants, and internal and global computer networks; digital video recorders; set-top boxes; cable television converters; receivers for receiving cable television; computer hardware and software for use in cable television systems, content distribution systems, and communication systems

International Class 16: Books and manuals in the fields of interconnecting, managing and operating of local and wide area networks; computer manuals for computer networking; printed instructional materials, namely, books, manuals, guides, test materials and magazines in the fields of network communications, managing, operating and using local, wide and global networks, and cable television systems; packaging, namely, cardboard packing

International Class 36: Financing services, namely, providing financing to others for the lease or purchase of computer hardware and computer software

International Class 38: Providing information via local and global computer networks in the fields of telecommunications and telephony; broadcasting programs via computer networks; providing telephone conferencing services; providing facilities and equipment for video conferencing; electronic voice messaging, namely, the recording and subsequent transmission of voice messages; providing telecommunications services, namely, web conferencing services; Internet telephony services

International Class 41: Educational services, namely, conducting conferences, training courses, testing, workshops, and distributing course materials in connection therewith, all in the fields of computer networking, broadband networks, computer systems, telecommunication systems, IP telephony, cable television systems, security and storage

International Class 42: On-line services, namely, providing information via computer networks in the field of computer and network security; customer support services in connection with computer hardware and software for use in interconnecting, managing and operating local and wide area networks, namely, computer network design, computer consultation services, updating of computer software for others, computer systems analysis, and engineering services; providing technical consultation in connection with computer hardware, computer software, computer networking equipment, telephony systems, telecommunications equipment, IP telephony, telecommunication systems, computer network design, storage design, security of networks, and voice and wireless communications; application service provider (ASP), namely, hosting the software applications of others; computer consulting services; computer network design for others; on line services, namely, providing information via computer networks in the fields of computer networks, computer systems, cable television systems, technical consultation and research and systems design; application service provider (ASP) featuring software in the fields of audio conferencing, electronic messaging, document collaboration, video conferencing, and voice and call processing; providing information via computer networks in the fields of computer security and computer network security

International Class 45: On line services, namely, monitoring of computer systems and computer networks for security purposes

which was registered on the Principal Register on November 10, 2009;



, U.S. Reg. No. 3,759,451, for:

International Class 9: Computer hardware and software for interconnecting, managing, securing and operating local and wide area networks and telephony systems; telephones, telephone headsets; wireless communications devices, namely, wireless hardware and software for the transmission of voice, data, audio, and video; call processing software for the transmission of data, video, and voice traffic; downloadable electronic instructional materials, namely, manuals, guides, test materials, and magazines in the fields of network communications, and managing, operating and using local, wide and global networks, and cable television systems; personal stereos; stereo receivers; stereo tuners; stereo amplifiers; computer software for use in social networking, namely, for use in providing online communications among users and for creating customized on-line web pages featuring user-defined information, personal profiles, and information; remote controls for stereos, televisions, computers, and electronic games; electronic devices for recording, organizing, transmitting, and/or reviewing voice, audio, video, and/or data files; CD players; consumer electronics, namely, hardware and software for the transmission of voice, data, audio, and/or video; computer network routers; gateway routers in the nature of computer control hardware; telecommunications switches; network access range expanders; Internet video cameras; print servers; communication terminals comprising computer hardware and/or software for providing video, audio, data, video game, and telephone communications and/or transmissions; network storage devices, comprised of computer hardware and/or software; interfaces for interconnecting computers, projectors, stereo systems and game consoles; computer hardware; computer network interface cards; network cables; computer network adapters; computer servers; communications servers; computer hardware containing network security functionality, including firewalls; data encryption, and/or interoperability with network security protocols; computer software and hardware for sending, storing, managing, integrating and accessing text and voice messages via telephone, electronic mail, pagers, personal digital assistants, and internal and global computer networks; digital video recorders; set-top boxes; cable television converters; receivers for receiving cable television; hardware and software for the operation of cable television systems, content distribution systems, and communication systems

International Class 16: Books and manuals in the fields of interconnecting, managing and operating of local and wide area networks; computer manuals for computer networking; printed instructional materials, namely, books, manuals, guides in the fields of network communications, managing, operating and using local, wide and global networks, and cable television systems; test materials, namely, booklets and magazines in the fields of network communications, managing, operating and using local, wide and global networks, and cable television systems; technical manuals in the fields of the interconnecting, managing and operating computer networks; packaging, namely, cardboard packing

International Class 36: Financing services for the lease or purchase of computer hardware and computer software

International Class 38: Providing information via local and global computer networks in the fields of telecommunications and telephony; broadcasting programs via computer networks; providing telephone conferencing services; electronic voice messaging, namely, the recording and subsequent transmission of voice messages; providing telecommunications services, namely, web conferencing services; Internet telephony services

International Class 41: Educational services, namely, conferences, training courses, testing, workshops, and distributing course materials in connection therewith, all in the fields of computer networking, broadband networks, computer systems, telecommunication systems, IP telephony, cable television systems, network security, and/or network storage

International Class 42: Computer network design for others, computer consultation services, updating of computer software for others, computer systems analysis, and engineering services; providing technical consultation in connection with computer hardware, computer software, computer networking equipment, telephony systems, telecommunications equipment, IP telephony, and telecommunication systems, computer network design, storage design, security of networks, and voice and wireless communications; application service provider (ASP), namely, hosting the software applications of others; on line services, namely, providing information via computer networks in the fields of computer networking, computer networks, computer systems, computer and network security, cable television systems, technical consultation and research in the field of computer networks, and network systems design; application service provider (ASP) featuring software in the fields of audio conferencing, electronic messaging, document collaboration, video conferencing, and voice and call processing

International Class 45: Monitoring of computer systems and computer networks for security purposes

which was registered on the Principal Register on March 9, 2010;

CISCO SYSTEMS, U.S. Reg. No. 2,229,530, for:

International Class 36: Financing services for the lease or purchase of computer hardware and computer software for use in the field of internetworking

which was registered on the Principal Register on March 2, 1999;



, U.S. Reg. No. 2,229,529, for:

International Class 36: financing services for the lease or purchase of computer hardware and computer software for use in the field of internetworking

which was registered on the Principal Register on March 2, 1999;

CISCO CAPITAL, U.S. Reg. No. 3,725,585, for:

International Class 36: Financing services

which was registered on the Principal Register on December 15, 2009;



, U.S. Reg. No. 3,725,581, for:

International Class 36: Financing services

which was registered on the Principal Register on December 15, 2009;

CISCO:FINANCED, U.S. Reg. No. 3,766,786, for:

International Class 36: Financing services

which was registered on the Principal Register on March 30, 2010;

CISCO SYSTEMS CAPITAL, U.S. Reg. No. 2,292,629, for:

International Class 36: Financing services for the lease or purchase of computer hardware and computer software for use in the field of internetworking

which was registered on the Principal Register on November 16, 1999;

CISCO, U.S. Reg. No. 1,542,339, for:

International Class 9: Computer hardware for interconnecting local area networks, namely gateways and parts therefor

which was registered on the Principal Register on June 6, 1989;

CISCO, U.S. Reg. No. 2,314,702, for:

International Class 41: Educational services, namely, conferences, training courses, testing, workshops and distributing course materials in connection therewith, all in the fields of network communications, managing, operating and using local, wide and global area networks

which was registered on the Principal Register on February 1, 2000;

CISCO, U.S. Reg. No. 2,498,746, for:

International Class 9: Computer hardware and software for distribution, manipulation and retrieval of video, data and sound over computer networks

which was registered on the Principal Register on October 16, 2001;

CISCO, U.S. Reg. No. 2,574,340, for:

International Class 41: On line services, namely, providing information via local and global computer networks in the field of computer networking education and training

International Class 42: On line services, namely, providing information via local and global computer networks in the field of technical consultation and research, systems design, engineering and customer support services in connection with computer hardware and software, all in the field of computer networking

which was registered on the Principal Register on May 28, 2002;

CISCO, U.S. Reg. No. 2,640,042, for:

International Class 38: On line services, namely, providing information via local and global computer networks in the field of telecommunications and telephony

which was registered on the Principal Register on October 22, 2002;

CISCO, U.S. Reg. No. 2,742,321, for:

International Class 38: Telecommunication services, namely, providing telecommunication connections to a global computer network and related telecommunication gateway services

which was registered on the Principal Register on July 29, 2003;



, U.S. Reg. No. 3,747,597, for:

International Class 6: Metal key chains; metal key rings; metal key fobs; metal key tags

International Class 8: Hand tools, namely, screwdrivers

International Class 9: Computer mice; computer stylus; calculators; laser pointers; USB hubs; backpacks especially adapted for holding laptops; wheeled backpacks especially adapted for holding laptops; messenger bags especially adapted for holding laptops; cell phone battery chargers; compasses; spectacle holders; headphones; earphones; wireless controller to monitor and control the functioning of other electronic devices; plug adaptors; battery chargers; audio speakers; computer storage devices, namely, flash drives; adapter plugs; pedometers

International Class 11: Flashlights

International Class 12: Automobile holders for electronic devices that are specially adapted to the automobile; license plate holders

International Class 14: Clocks; alarm clocks; watches; lapel pins

International Class 16: Office supplies, namely, pens, gel roller pens, roller ball pens, ball-point pens, highlighter pens, pencils, writing pads, notebooks, and folders; business card holders; desktop business card holders; stationary-type portfolios; coin holders; blank writing journals

International Class 18: Luggage tags; backpacks; messenger bags; leather cases; business card cases; duffel bags; tote bags; umbrellas and umbrella cases

International Class 20: Vinyl banners; removable non-slip work surface for use to hold objects on surfaces

International Class 21: Neoprene bottle holders; portable coolers; lunch boxes; plastic coasters; plastic water bottles sold empty

International Class 22: Lanyards for holding badges

International Class 24: Blanket throws; receiving blankets; children's blankets; golf towels

International Class 25: Clothing, namely, caps, baseball caps, knitted caps, t-shirts, short-sleeved or long-sleeved t-shirts, windshirts, long-sleeved shirts, short-sleeved shirts, dress shirts, pique shirts, pullovers, fleece pullovers, sweat shirts, sweaters, knit shirts, sport shirts, polo shirts, cyclists' jerseys, jackets, long-sleeved jackets, sleeved or sleeveless jackets, ties

International Class 28: Sports equipment, namely, golf balls, golf putters, golf tees, golf bags, golf club bags

International Class 40: Custom imprinting of clothing with decorative designs

which was registered on the Principal Register on February 9, 2010;

CISCO SYSTEMS, U.S. Reg. No. 1,996,957, for:

International Class 9: Computer hardware and software for interconnecting, managing and operating local and wide area networks

which was registered on the Principal Register on August 27, 1996;

CISCO SYSTEMS, U.S. Reg. No. 2,205,660, for:

International Class 16: books and manuals regarding the interconnecting, managing and operating of local and wide area networks

which was registered on the Principal Register on November 24, 1998;

CISCO IOS, U.S. Reg. No. 2,116,686, for:

International Class 9: Computer software for networking, namely software which provides connectivity, interoperability and management capability among networked components and systems

International Class 16: Computer manuals for computer networking

which was registered on the Principal Register on November 25, 1997; and

CISCO EOS, U.S. Reg. No. 3,729,990, for:

International Class 42: Application service provider (ASP), namely, hosting computer software applications of others; application service provider (ASP) featuring software for use in creating online social networking sites, delivering content, distributing advertisements, creating blogs, providing on-line communications among users, providing entertainment media content delivery, and obtaining user-preference data

which was registered on the Principal Register on December 22, 2009;



, U.S. Reg. No. 1,999,660, for:

International Class 9: computer hardware and software for interconnecting, managing and operating local and wide area networks

which was registered on the Principal Register on September 10, 1996;



, U.S. Reg. No. 2,232,700, for:

International Class 9: computer hardware and software for interconnecting, managing and operating local and wide area networks

which was registered on the Principal Register on March 16, 1999;



, U.S. Reg. No. 2,291,243, for:

International Class 42: customer support services in connection with computer hardware and software for use in interconnecting, managing and operating local and wide area networks, namely, computer network design, computer consultation services, updating of computer software, computer systems analysis, and engineering services

which was registered on the Principal Register on November 9, 1999;



, U.S. Reg. No. 2,488,368, for:

International Class 9: computer hardware and software for distribution, manipulation and retrieval of video, data and sound over computer networks

which was registered on the Principal Register on September 11, 2001; and



, U.S. Reg. No. 2,959,329, for:

International Class 9: Computer hardware and software for interconnecting, managing, securing and operating local and wide area networks and telephony systems; telephones, telephone headsets; electronic communication devices, namely, personal digital assistants, pagers, and cellular and wireless telephones; wireless communications devices, namely, wireless LAN hardware and software for the transmission of voice, data, and video; telecommunications equipment, namely hardware and software for use in conjunction with managing and operating local and wide area networks; telephony systems, namely gateways, switches, phones and other communication devices; call processing software for the transmission of data, video and voice traffic; storage networking products, namely routers, switches, port adapters, and software used in the operation and management thereof; downloadable instructional materials, namely books, manuals, printed guides for teachers, test booklets, magazines, newsletters and bulletins in the fields of network communications, and managing, operating and using local, wide and global networks

International Class 16: Printed instructional materials, namely books, manuals, printed guides for teachers, test booklets, magazines, newsletters and bulletins in the fields of network communications, managing, operating and using local, wide and global networks

International Class 35: Testing services to determine professional skills in the field of networking, computer systems, telecommunication systems, IP telephony, security and storage; on line services, namely, providing information via local and global computer networks in the field of testing to determine professional skills in the field of networking, computer systems, telecommunications systems, IP telephony, security and storage via the internet

International Class 38: Telecommunication services, namely, providing telecommunication connections to a global computer network and related telecommunication gateway services; on line services, namely, providing information via local and global computer networks in the field of telecommunications and telephony; entertainment services, namely broadcasting across broadband networks

International Class 39: On line services, namely, providing information via local and global computer networks in the field of data storage

International Class 41: Educational services, namely, classroom training, workshops, conferences, seminars, for computer networking, broadband networks, computer systems, telecommunication systems, IP telephony, security and storage

International Class 42: Computer consulting services; technical support services, namely, troubleshooting of computer hardware and software problems and monitoring of network systems; customer support services, namely, troubleshooting of problems in connection with computer hardware, computer software, computer networking equipment and services, telephony systems, telecommunications equipment, IP telephony, broadcasting across broadband networks, telecommunications systems, security, and storage; computer network design; on line services, namely, providing information via local and global computer networks in the field of on-line commerce, computer networks, broadband networks, and computer systems

International Class 45: On line services, namely, providing information via local and global computer networks in the field of computer and network security

which was registered on the Principal Register on June 7, 2005;

3. Said registrations are valid and subsisting and are prima facie evidence of Opposer's exclusive right to use the CISCO marks in commerce on the goods and services specified therein. There is no issue as to priority. Opposer commenced use of the CISCO marks prior to the filing date of the Application. Further, all of the U.S. registrations listed above were filed and matured to registration prior to the filing date of the Application. The Application is confusingly similar if not virtually identical to Opposer's CISCO marks – having simply replaced the “S” with an “F”. In view of the similarities of the respective marks and the related nature of the goods and services of the respective parties, it is alleged that Applicant's CIFCO mark so resembles Opposer's CISCO marks as to be likely to cause confusion or mistake or to deceive, thereby causing loss, damage, and injury to Opposer and the purchasing public, and to dilute the distinctive quality of Opposer's famous CISCO marks, thereby causing loss, damage, and injury to Opposer and the purchasing public.

4. Opposer is in the business of designing, manufacturing, marketing, selling, and providing a range of goods and services throughout the United States and worldwide, including computer hardware and software for interconnecting, managing, securing and operating local and wide area networks and telephony systems. Since at least as early as February 13, 1997, Opposer has offered and provided financing services, and has marketed and

sold these services in connection with the CISCO trade name and trademark. Since at least as early as December 27, 1984, Opposer has marketed and sold computer hardware and software products in connection with the CISCO trade name and trademark. Since at least as early as April 1992, Opposer has offered and provided, throughout the United States, educational services in the fields of network communications, managing, operating and using local, wide and global area networks, and has marketed and sold these services in connection with the CISCO trade name and service mark. Since at least as early as August 1993, Opposer has offered and provided testing services to determine professional skills in the computer field, and has marketed and provided these services in connection with the CISCO trade name and trademark. Since at least as early as July 29, 1996, Opposer as offered and provided, throughout the United States, customer support services in connection with computer hardware and software, and has marketed and sold these services in connection with the CISCO trade name and trademark. Since at least as early as August 1996, Opposer has offered and provided telecommunications services and on line services, including providing information via local and global computer networks in the fields of technical consultation and research, systems design, engineering and customer support services, and has marketed and sold these services in connection with the CISCO trade name and trademark. Since at least as early as August 1996, Opposer has marketed and sold a wide spectrum of goods in International Classes 6, 9, 14, 16, 18, 20, 21, 24, 25 and 28, including decorative boxes, computer accessories, jewelry, office supplies, briefcases, picture frames, housewares, cloth banners, sports equipment, clothing and toys, in connection with the CISCO trade name and trademark. Since at least as early as April 25, 1997, Opposer has marketed and sold books and manuals regarding the interconnecting, managing and operating of local and wide area networks in connection with the CISCO trade name and trademark. Since at least as early as November 2001, Opposer has offered and provided consulting services and has marketed and sold these services in connection with the CISCO trade name and trademark

5. The aforementioned nationwide trademark and service mark use of the CISCO marks by Opposer has been valid and continuous since the date of first use of each and

has not been abandoned. As a consequence of Opposer's extensive marketing, promotion, advertising, and sales activity, Opposer's CISCO marks have come to be identified as designators of Opposer's goods and services, and as a result, have become valuable assets of Opposer, principal symbols of its goodwill, and famous. In view of the similarity of the respective marks and the related nature of the goods and services of the respective parties, it is alleged that Applicant's CIFCO mark so resembles Opposer's CISCO marks previously used in the United States, and not abandoned, as to be likely to cause confusion or mistake or to deceive, or to disparage and falsely suggest a connection with Opposer, thereby causing loss, damage, and injury to Opposer and the purchasing public, and to dilute the distinctive quality of Opposer's famous CISCO marks, thereby causing loss, damage, and injury to Opposer and the purchasing public.

WHEREFORE, Opposer prays that this notice of Opposition be sustained and that the Application be rejected.

Respectfully submitted,

Date: December 22, 2010

/kbelur/
Sally M. Abel, Esq.
Kiran K. Belur, Esq.
Attorneys for Opposer
FENWICK & WEST LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
650-988-8500

PROOF OF SERVICE BY MAIL

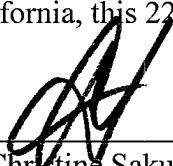
I declare that:

I am employed in the County of Santa Clara, California.

I am over the age of eighteen years and not a party to the within cause; my business address is Fenwick & West LLP, Silicon Valley Center, 801 California Street, Mountain View, CA 94041. On December 22, 2010, I served the within STATEMENT OF OPPOSITION on the interested parties in said cause, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, via U.S. First Class Mail at Mountain View, California, addressed as follows:

Lawrence Yuan Tian
Thomas P. Philbrick
Allmark Trademark
4041 Sugar Maple Dr. Ste. A
Danville, CA 94506-4640

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed at Mountain View, California, this 22th day of December, 2010.



Christine Sakurai